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RCE 1/9

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/917,998
Filing Date	July 30, 2001
First Named Inventor	Marco STEIGER et al.
Group Art Unit	3723
Examiner Name	Shantese L. McDonald
Attorney Docket Number	P25560

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

**NOTE:** 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000) which established RCE practice.

## 1. Submission required under 37 C.F.R. §1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on  
(Any unentered amendment(s) referred to above will be entered.)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously Filed on
- iii. ☐ Other:
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Request for Extension of Time
- v. ☐ Other:

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. §1.17(i) required)
- b. ☐ Other: \_\_\_\_\_

## 3. Fees The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

- a. ☒ Check in the amount of \$ 790.00 enclosed.
- b. ☒ If payment in the appropriate amount is not enclosed, the U.S. Patent and Trademark Office is hereby authorized to charge any fees required by this paper, including the RCE fee required under 37 C.F.R. §1.17(e), any extension of time fees (37 C.F.R. §§ 1.136 and 1.17) necessary to render the RCE timely, and any suspension fee or credit any overpayments, to Deposit Account No. 19-0089

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

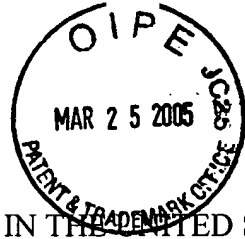
Name (Print/Type)	William E. Lyddane	Registration (Attorney/Agent)	No.	41,568
Signature	<i>Will E. Lyddane</i>	Date	3-25-05	

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as a first class mail in an envelope addressed to: Commissioner For Patents, Mail Stop RCE, PO Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)		Date	
Signature		Date	

P25560.A01



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	09/917,998	Confirmation No.	1503
Applicant	:	Marco STEIGER et al.	TC/A.U.:	3723
Filed	:	July 30, 2001	Examiner:	Shantese L. McDonald
Atty. Docket No.:		P25560		
Customer No. :		7055		
Title	:	MATERIAL REMOVING TOOL		

**SUBMISSION UNDER 37 C.F.R. § 1.114**

Commissioner of Patents  
U.S. Patent and Trademark Office  
220 20th Street S.  
Customer Window, Mail Stop **AMENDMENT**  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir :

Further to Applicants' Reply Brief filed March 2, 2004, and prior to any decision on the Appeal Brief filed September 12, 2003, Applicants are herewith submitting a Request for Continued Examination along with the present Submission, and respectfully request reconsideration and withdrawal of the outstanding rejections in view of the following:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks** begin on page 6 of this document.